

### **REMARKS**

Claims 1-28 were pending. Claims 1, 8, 15, and 22-28 were rejected. Claims 2-7, 9-14, and 16-21 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form. Claims 1-28 have been amended.

The specification has been amended to correct typographical errors. No new matter has been added by these amendments.

Claims 22-28 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant respectfully traverses.

On July 24, 2007, the Examiner and the undersigned attorney had a telephone conversation during which they discussed 35 U.S.C. § 101 and the claims as previously pending. The Examiner stated that if claim 22 were amended to recite a “computer system comprising a processor configured to execute a method, the method comprising:...” instead of a “computer system comprising: a software portion configured to...,” then claim 22 would be directed to statutory subject matter. Claim 22 has been amended in this way and is directed to statutory subject matter. Claims 23-28, which have also been amended, depend from claim 22 and are also directed to statutory subject matter.

The Examiner also suggested that claim 8 be amended to recite a “computer readable medium encoded with a computer program” instead of a “computer readable medium containing a computer program.” Claim 8 has been amended in this way and is directed to statutory subject matter.

Claims 1, 8, 15, and 22 were rejected under 35 USC 102(b) as being anticipated by Hossack. Applicant respectfully traverses.

During the aforementioned conversation, the Examiner and the undersigned attorney also discussed claim 1 as amended herein. No agreement was reached. The substance of the interview is set forth herein.

As amended, claim 1 recites:

A method for robustly producing a motion compensated interpolation video frame, the method comprising:

- constructing N motion compensated interpolated frames between two existing frames F1 and F2, wherein N comprises an integer with a value of at least 2; and
- generating a final motion compensated interpolated frame by, for each pixel (x, y) in the final motion compensated interpolated frame:
  - determining one corresponding pixel from each of the N motion compensated interpolated frames, for a total of N corresponding pixels;
  - selecting one pixel of the N corresponding pixels; and
  - setting the pixel (x, y) to the selected pixel.

As described in the pending application, the claimed invention constructs N motion compensated interpolated frames and generates a final motion compensated interpolated frame (¶¶4-5). In order to generate each pixel (x, y) in the final motion compensated interpolated frame, one corresponding pixel is determined from each of the N motion compensated interpolated frames, for a total of N corresponding pixels (¶23). One of the N corresponding pixels is selected (¶23). The pixel (x, y) is set to the selected pixel (¶23).

Hossack discusses a technique to avoid blurring by summing multiple frames captured at different time instances. (9:26-30). Because these frames are captured at different time instances, a moving object is at a different position in each frame. (9:19-21). Hossack therefore discloses motion compensating these frames such that the moving object is at “the same spatial position before summing the three frames to generate an output frame, thereby avoiding the problem of object blurring.” (9:27-30). Because the moving object is at the same spatial position in all the motion compensated frames, there is no blurring when the frames are summed.

Hossack does not disclose, teach, or suggest the claimed elements “determining one corresponding pixel from each of the N motion compensated interpolated frames, for a total of N corresponding pixels” and “selecting one pixel of the N corresponding pixels” and “setting the pixel (x, y) to the selected pixel.”

Hossack discusses using a persistent filter to “process[] pixels corresponding to the same spatial location across a number of frames.” (9:46-48) (emphasis added). This section, however, does not disclose “determining one corresponding pixel from each of the N motion compensated interpolated frames, for a total of N corresponding pixels.” Even if Hossack is interpreted to disclose “determining one corresponding pixel from each of the N motion compensated interpolated frames, for a total of N corresponding pixels,” Hossack does not disclose, teach, or suggest the claimed elements “selecting one pixel of the N corresponding pixels” and “setting the pixel (x, y) to the selected pixel.”

Claim 1 therefore is patentable over Hossack. Independent claims 8, 15, and 22 (as amended) recite similar language to claim 1 and are also patentable over Hossack.

The claims not specifically mentioned above depend from claims 1, 8, 15, or 22 (directly or indirectly), which were shown to be patentable over Hossack. In addition, these claims recite other features not included in claims 1, 8, 15, or 22. Thus, these claims are patentable over Hossack for at least the reasons discussed above, as well as for the elements that they individually recite.

Applicant respectfully submits that the pending claims are allowable over the cited art of record and requests that the Examiner allow this case. The Examiner is invited to contact the undersigned in order to advance the prosecution of this application.

Respectfully submitted,  
CHRISTOPHE SOUCHARD

Dated: August 13, 2007

By: /Sabra-Anne R. Truesdale/

Sabra-Anne R. Truesdale  
Reg. No. 55,687  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel: (650) 335-7187  
Fax: (650) 938-5200